

House Bill 536 (AS PASSED HOUSE AND SENATE)

By: Representatives Floyd of the 147th, Williams of the 178th, McCall of the 30th, Hatfield of the 177th, Graves of the 12th, and others

A BILL TO BE ENTITLED

AN ACT

To amend Article 2 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to dimensions and weight of vehicles and loads, so as to provide that fines for excess weight should be based on the weight including the allowed variance; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to dimensions and weight of vehicles and loads, is amended in Code Section 32-6-26, relating to weight of vehicle and load, by revising subsection (g) as follows:

"(g)(1) The weight limitations provided for in this Code section, except the limitation in subsections (f) and (h) of this Code section, may be exceeded on any public road within this state which is not an interstate highway, or when making a pickup or delivery on any public road of a county road system, without a permit only when the load on any single axle does not exceed 23,000 pounds, the load on any tandem axle does not exceed 46,000 pounds, and the maximum total gross weight of the vehicle and load does not exceed 80,000 pounds when:

(A) Hauling forest products from the forest where cut to the first point of marketing or processing;

(B) Hauling live poultry or cotton from a farm to a processing plant;

(C) Hauling feed from a feed mill to a farm;

(D) Hauling granite, either block or sawed, or any other naturally occurring raw ore or mineral for further processing, from the quarry or stockpile area to a processing plant located in the same or an adjoining county and construction aggregates hauled to any point, unless otherwise prohibited;

(E) Hauling solid waste or recovered materials from points of generation to a solid waste handling facility or other processing facility; or

(F) Hauling concrete that is in a freshly mixed and unhardened state for delivery to a customer located in the same or an adjoining county.

No lift axle may be used in computing the maximum total gross weight authorized for any vehicle or load under this paragraph.

(2) A vehicle which is hauling the products listed in subparagraph (A); or (B), ~~or (C)~~ of paragraph (1) of this subsection or which is hauling any other agricultural or farm product from a farm to the first point of marketing or processing shall be permitted a 5 percent variance from the weight limitations in paragraph (1) of this subsection within a 100 mile radius of the farm or point of origin. Any person who violates the load limitations provided for in this paragraph by exceeding the 5 percent variance per single axle, tandem axle, or maximum total gross weight shall be fined on the basis of the weight limitations of paragraph (1) of this subsection ~~and not on the basis of the~~, including the variance allowed by this paragraph.

(3) A vehicle which is hauling the products listed in subparagraph (C) or (D) of paragraph (1) of this subsection shall be permitted a 5 percent variance from the weight limitations in paragraph (1) of this subsection within a 100 mile radius of the farm or point of origin. Any person who violates the load limitations provided for in this paragraph by exceeding the 5 percent variance per single axle, tandem axle, or maximum total gross weight shall be fined on the basis of the weight limitations of paragraph (1) of this subsection and not on the basis of the variance allowed by this paragraph.

~~(3)~~ (4) Any vehicle carrying a load as authorized in this subsection at night shall be equipped with lights clearly visible for a distance of not less than 300 feet from the front and rear of the vehicle."

SECTION 2.

Said article is further amended in Code Section 32-6-27, relating to enforcement of load limitations, by revising paragraph (1) of subsection (a) as follows:

"(1) Five cents per pound for all excess weight over the allowed weight limitations, including any applicable variances; or"

SECTION 3.

This Act shall become effective on July 1, 2007.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.